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August 26, 2020

VIA ECF

Honorable Paul A. Engelmayer
United States District Judge
United States District Court, SDNY
40p Foley Square, Room 2201
New York, New York 10007

Re: Hugo Kayo v. Police Officer Peter Mertz, et al., 19 Civ. 00365 (PAE)

Your Honor:

I am an attorney that represents plaintiff in the above-referenced matter. I write to respectfully request that the Court extend the due dates for plaintiff's Opposition to Defendants' Motion for Summary Judgment and Plaintiff's Cross Motion for Partial Summary Judgment motion and responsive motion papers for two additional weeks. As the Court may recall, by letters dated July 29, 2020 and August 12, 2020 I requested an extension because I had fallen ill and was unable to competently work on the motion. Unfortunately, I continue to be ill and have been unable to work on the motion due to the illness. I apologize to the Court for the lateness of this application, but I have almost no energy due to this illness and it was difficult for me to even draft this application. Defendants consent to plaintiff's request. The following proposed motion schedule is a revised schedule adding two weeks to each of the remaining deadlines:

Plaintiff's brief in support of his motion for partial summary judgment and in opposition to plaintiff's motion: **September 9, 2020**

Defendants' brief containing their reply an opposition to plaintiff's motion: **September 23, 2020**

Plaintiff's Reply: **October 2, 2020**

Once again I apologize if this application causes any inconvenience to the Court, as I try my best to file all papers with the Court in a timely manner, but I have not been able to physically draft the motion papers in this case due to my illness and physical condition

We thank the Court for its consideration herein.

Respectfully submitted,

Granted. The Court will adopt the schedule proposed by the plaintiff and wishes counsel a speedy recovery.

SO ORDERED.

PAUL A. ENGELMAYER
United States District Judge

August 27, 2020

/s/

David M. Hazan, Esq.
Attorney for Plaintiff